

CAL/OSHA
(November 1991)

1707

CAL/OSHA CONSULTATION SERVICES
(No. 38 September 2002)

1707.1

Department of Industrial Relations Division of Occupational Safety and Health (CAL/OSHA) consultants are located throughout the state to provide employers with an opportunity to discuss safety matters, including possible CCR, Title 8 violations.

CAL/OSHA consultants assist employers with compliance to CAL/OSHA regulations. They are required to take action in a situation of imminent danger to the lives, safety, and health of employees, and may prohibit the use of equipment or entry to a hazardous area. The consultant may also require a plan of corrective action where safety violations exist.

CAL FIRE managers may use this service provided they keep the Departmental Safety Officer advised, through the chain of command, of the results of scheduled meetings if the safety coordinator does not attend.

CAL FIRE requires a consultant review of proposed demolition projects before any work commences. CAL/OSHA consultant field office addresses and telephone numbers can be found in the state telephone directory under Department of Industrial Relations or in the white pages under State Government.

CAL/OSHA COMPLIANCE
(No. 38 September 2002)

1707.2

CAL/OSHA safety compliance engineers and industrial hygienists are responsible for enforcing compliance with CCR, Title 8 safety orders. They conduct inspections of employers' safety programs, related records, and physical operations. The compliance engineer or industrial hygienist will meet with the highest authority present at the inspection site. CAL/OSHA considers that individual to be the department's management representative.

When an inspection occurs, compliance safety engineers and industrial hygienists are required to conduct opening and closing conferences explaining why they are there, what they are looking for, and what the inspection procedure will be. If the inspection is the result of a complaint, the compliance engineer or industrial hygienist only has the authority to inspect the specific hazard alleged in the complaint. They are not entitled to conduct a general walk through inspection. Department personnel should maintain a cooperative attitude with CAL/OSHA compliance personnel.

If the compliance safety engineer or industrial hygienist issues any citations or special orders, the inspectors must explain their reasons (e.g., which safety orders were violated, why the special order process was necessary, what hazards were found, etc.). They must also explain the process for filing a formal or informal appeal.

The person acting as the department's representative at inspected stations or facilities will either comply promptly with any requirements stipulated by the inspecting engineer or refer the matter to a higher authority. They shall inform the unit Duty Chief of the inspection through the chain of command. The Regional Duty Chief and the Departmental safety Officer should immediately be informed whenever it appears that the inspector has misinterpreted the violation or misapplied the citation or special order, and local managers and their safety coordinators are unable to resolve the problem themselves. After consultation with region management, the Regional Duty Chief will consult with CAL FIRE's Legal Counsel and the Departmental Safety Officer for possible appeal action. . If the problem is one that involves similar situations elsewhere in the state, it is important for CAL FIRE to establish a coordinated approach to the situation.

The unit Duty Chief or the unit safety coordinator will **immediately** send a copy of each special order, citation, study, or report received from a compliance safety engineer, industrial hygienist, or CAL/OSHA consultant to the Regional Duty Chief for referral to the region chief and Departmental Safety Officer.

The department only has fifteen working days after receipt of the notice of citation or special order to file an appeal. It is important to expedite the notification process to the region, legal office and the Departmental Safety Officer in order to meet this deadline.

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